

Greenbelt News Review

AN INDEPENDENT NEWSPAPER

Volume 33, Number 26

GREENBELT, MARYLAND

Thursday, May 21, 1970

U.S. Supreme Court Reverses News Review Libel Judgment

(The full text of the U. S. Supreme Court decision is reprinted on pages 4-5)

In a unanimous 8-0 decision, the U. S. Supreme Court on Monday, May 18, reversed the \$17,500 libel judgment against the *Greenbelt News Review* awarded to local developer Charles S. Bresler as the result of a Prince Georges Circuit Court jury verdict in January, 1968. The verdict had been upheld by the Maryland Court of Appeals in May, 1969.

The main issue in the case involved the publication by the *News Review* of remarks made by citizens at two city council meetings in October, 1965 which characterized as "blackmail" a proposal of the developer that sought city support for rezoning one tract of land at higher density in exchange for making available at an acceptable price another piece of property for a senior high school site. Bresler's attorney, Abraham Chasanow, maintained that the articles imputed to Bresler "the commission of the crime of blackmail" and were published because the paper bore hostility toward Bresler.

In the decision rendered by Justice Potter Stewart, the court held "that as a matter of constitutional law, the word 'blackmail' in these circumstances was not slander when spoken, and not libel when reported in the *Greenbelt News Review*." The court referred to the fact that Bresler's negotiations with the city were a subject of substantial concern to all who lived in the community and had evoked substantial controversy and heated debates.

Publishing Reports Legitimate

Justice Stewart agreed with the argument put forward by the newspaper's attorney, Roger A. Clark, that the newspaper was "performing its wholly legitimate function as a community newspaper when it published full reports of these public debates in its news columns." To hold otherwise, the high court said, "would subvert the most fundamental meaning of a free press."

With respect to the word "blackmail," Stewart said, "it was simply impossible to believe" that the articles could be read as charging Bresler with a crime. "Even the most careless reader," the Justice continued, "must have perceived that the word was no more than rhetorical hyperbole, a vigorous epithet used by those who considered Bresler's negotiating position extremely unreasonable."

Stewart noted that the articles published in the *News Review* were accurate, full, and truthful reports of what had been said at the public hearings before the city council.

Instructions to Jury

In reversing the judgment the court held that the instructions to the jury constituted an "error of constitutional magnitude." To define "malice," as the trial judge did, to include "spite, hostility, or deliberate intention to harm," Justice Stewart said, was contrary to the New York Times rule.

The New York Times rule precludes recovery in libel suits by public officials and public figures except where they can prove that a false and defamatory statement was made with knowledge that it was false or with reckless disregard of whether it was false or not. The court held that Bresler's status clearly fell within the most restrictive definition of a "public figure."

In concurring opinion, Justice Byron R. White agreed that the judgment should be reversed, but only on the basis of the erroneous

definition of malice contained in the instructions. He disagreed with the rest of the court that there was no evidence to support a judgment that the charge of blackmail would be understood by the average reader to import criminal conduct. Justice White implied that he would not "immunize professional communicators from liability for their use of ambiguous language."

Justices Hugo L. Black and William O. Douglas filed their customary concurring opinion in libel cases, reminding the court that they feel the First Amendment forbids all libel suits.

Council to Testify at School Budget Hearing

The city council agreed at its May 18 meeting to testify at the school board budget hearings on Wednesday, May 27 to be held before the county commissioners at 8 p.m. in the auditorium of the Fine Arts Building, Prince Georges Community College, Largo. The council will ask for deletion of the \$2,448,000 budget item for a Greenbelt senior high school.

State Senator Edward T. Conroy told the council that he had been assured by the Governor's office that SJR-81 will be signed this week. This is the resolution passed in the closing days of the General Assembly which called for a moratorium on construction of the high school on parcel 2 until alternate sites are explored by the school board with the city of Greenbelt.

On Mayor Francis White's motion, council voted to authorize city manager James Giese to hire whatever additional assistance he might need to prepare material for any school site hearings. Councilman Edgar Smith had complained that the city was not getting complete information on the various matters that might affect the school site decision, such as sewage costs, etc.

The council approved a proposal to prohibit parking on the south side of Crescent road, from the entrance to the Jaycee Club House and school to Parkway Road. The proposal had been reviewed by St. Hugh's.

In other matters council

- (1) Agreed by a 3-2 vote to look into an offer from the Korean Methodist Church for purchase of the Holy Cross Lutheran Church property which had been recently acquired by the city. Mayor Francis White and councilman Dick Pilski were in the minority.
- (2) Directed the city manager to ask the regional post office department to locate another parking area for the mail trucks which are now using the north parking lot.
- (3) Proposed a resolution congratulating the *Greenbelt News Review* on its successful appeal to the Supreme Court.
- (4) Reemployed for another year as auditor the firm of Lee, Hendricks, Hale & Co.

WHAT GOES ON

Fri., May 22, 8:30 p.m. Duplicate Bridge - Co-op Hospital-ity Room

Mon., May 25, 7:30 p.m. - Labor Day Festival Meeting - Greenbelt Library
8 p.m. Budget Hearings - Municipal Building

Tues., May 26, 8 p.m. - Budget Hearings - Municipal Building

Wed., May 27, 8 p.m. Greenbelt Democratic Club - Municipal Building
8 p.m. - County Budget Hearing - P.G. Community College Fine Arts Building

GODDARD SPACE CENTER SPONSORS BAND CONCERT

The Goddard Space Flight Center Employees' Welfare Association will sponsor a free concert by the Greenbelt Concert Band, Sunday afternoon, May 24, in the auditorium of Building 8 at Goddard at 3:30 p.m. The public is cordially invited.

The Greenbelt Concert Band, under the direction of Mr. John Delhomme, consists of 65 talented musicians from the Washington metropolitan area. The concert will feature popular concert selections such as *Bank of America March*, *P. Lavalle*; *Southern Roses Waltz*, *J. Strauss*, *Mississippi Suite Overture*, *F. Grofe*; and a trumpet trio playing *The Three Solitaires*, *Victor Herbert*.

Recreation Review

The Department of the Interior's National Park Service is conducting a "Camp-O-Rama" May 23-24 from 10 a.m. to 6 p.m. on Saturday at 9 p.m. in the Sweet Gum Picnic Area of Greenbelt National Park. A one-hour film "America's Wonderlands - The National Parks," will be shown and camping equipment and methods will be demonstrated. The public is invited. For information, call 381-7445.

RAINS RELOCATE NAT'L GUARD

The National Guard detachment present in Greenbelt on that rainy night of May 13 had to run for cover when their tent facilities were flooded out. Many took shelter in the firehouse, others in the Youth Center, others at the swimming pool locker rooms. A few settled down in trucks belonging to the unit, where they waited out the rest of the night.

The city has received some inquiries concerning why the Guard contingents are not utilizing the national park south of Greenbelt Rd., since that is already fitted out with camping facilities. The answer, according to City Manager James K. Giese, is that Greenbelt Park is reserved for federal troops in time of crisis and for that reason is not available to a State militia.

Concerning citizen inquiries about costs accruing to the city by the Guard presence, Giese pointed out that the Guard will be billed for all expenses - a principal one being the phone bill, he surmised. Another expense to the city was overtime labor for the Public Works crew who turned on the water and gas heat at the pool locker room the night of the first Guard contingent's arrival.

Last Pre-Election GHI Board Discusses SOCC Aims, Townhouses

by Sid Kastner

At its last meeting before the coming election of new directors, the Greenbelt Homes, Inc. board heard a request for support and financial help from the Save Our Community Committee group, and listened to objections - from within its own ranks - to proposed drainage correction measures for the recently completed townhouses.

William Lathom of the SOCC organization asked whether GHI would be willing to give it some financial aid; the group which is open to all, he said, consists at present of about twenty-five members, and intends to continue its activities toward keeping Greenbelt a planned community. He also asked the board whether it would consider making a statement at the county's budget hearing next week at which the controversial school appropriation will be considered.

Some of the board members showed an ambivalent attitude toward this request. Chairman Charles Schwan took exception to two statements in a letter written by Lathom in a recent issue of the *News Review*; he stated he did not want to appear to support those remarks, and in general did not agree with SOCC's approach to the perimeter road. Director

Katherine Keene felt that SOCC "has tended to engage in innuendo," but that on the other hand it was the only active group on the school site issue. Lathom defended his statements, with support from Thomas White who believed that the "political undercurrents" cited did exist. A motion by Director David Lange to make a contribution specifically to be used for school site action - i.e. not for the perimeter road question - satisfied the majority of the board in the end and was passed.

Townhouse Problems

Director Nat Shinderman introduced a report on additional items responsible for an increase of about \$1000 in the cost of the townhouses; these include passageway doors and drain laterals, the latter being proposed to correct a problem of water seepage into the basements. Director Douglas Hawes, himself a townhouse resident, strongly questioned that the whole drain lateral system would be necessary or effective; he called it a waste of money and urged that only the Ridge Road building be treated in this way with separate measures being taken in the other basement interiors. After quite a bit of discussion Director Alex Chavrid suggested that the items listed in the townhouse report be accepted with a postponement of drain construction for two years - if they prove not to be necessary, the cost would be returned to the members. This course was tentatively adopted, but a final motion was put over until the next meeting in order to get more information from the engineers and from the county as to whether a partial lateral system would suffice.

Director Shinderman also presented a report from the Special Finance committee on Reserves. The committee recommended that the reserves be allocated for three purposes: the repair and replacement program, capital improvements and long-range plans. The report further suggested that information should be obtained on the whole question of what was a desirable level of reserves, to have, in general, perhaps using the experiences of other cooperatives.

The recent home improvement tour was pronounced a very successful event, with about 350 people visiting the thirty-odd homes that were open to the public. More of this is contemplated for the future.

Lastly the board thanked Douglas Hawes, for whom it was the last meeting, for his participation. Hawes replied that "I've learned a lot in the last two years". John O'Reilly also leaves the board and will be awarded a special plaque for his services.

BUDGET HEARING SET

Council last week set the public hearing date for the 1970-71 budget for Monday, June 1, at 8 p.m. The date of June 8 was reserved for official adoption of the budget. The budget must be adopted by June 10 according to the charter.

In the meantime council will continue its review of the budget on Monday and Tuesday of next week (May 25 and 26) when the recreation department and public works departments will be the subject.

S.E. ASIA TOPIC OF DEMOS. MTG.

The regular monthly meeting of the Greenbelt Democratic Club will be held Wednesday, May 27, 1970, at the Greenbelt Municipal building. The meeting will begin at 8 p.m. Edward Windsor will speak on American involvement in Southeast Asia. The public is invited.

Guard's Presence, Plus Carrying Arms Protested

The basis for the National Guard's presence in Greenbelt and its policy concerning the carrying of weapons were brought into question at the city council meeting of May 18 when a citizen, Dennis Madge, 21-J Ridge, brought up the matter. Madge particularly urged the city to request the Guard units located here not to carry bayonets or rifles in the city center. He also asked council to write to the Governor, requesting that the Guard be directed not to carry live ammunition.

These matters had already been taken care of, however, according to city manager James Giese, who said that he had already made a request of the Guard, following citizen complaints, not to carry weapons. After that time, he said, he had received no new complaints. He also stated that the Guard's policy prohibits their carrying loaded weapons.

Arrangements for the Guard's using facilities in Greenbelt stemmed from an agreement reached some two years earlier, Giese explained, by which they would be permitted the use of Braden Field in emergency situations. On the present occasion, he noted, there had been too short a notice to allow for a special council meeting to consider arrangements.

Braden Field was chosen for five major reasons, Giese pointed out: Its proximity to the Armory, available restroom facilities nearby at the pool locker rooms, parking space for motor vehicles, telephone facilities (at the Youth Center and at the swimming pool), and open areas for tents. Legally speaking, Giese pointed out, the city, as a creature of the State, was subject to martial law.

Councilman Joel Katz, while making clear that he was not endorsing the President's policy concerning the international situation, nevertheless expressed the view that the city could not be in the position of denying public safety or the protection of lives. Councilwoman Betty Maffay, however, expressed the hope that municipal activities need not be cancelled to accommodate the National Guard.

Another citizen, George Beauchamp, reported that several members of the Guard had personally expressed to him their desire to be the best possible guests. He said that they appreciated and wanted to keep the good will of the citizens.

Council passed a motion authorizing the city to make facilities available to the National Guard subject to the reservations and restrictions established by the city manager and that the National Guard be instructed or requested that they not carry weapons. If they do, the motion continued, the guns should be inconspicuous to the general public.

GREENBELT NEWS REVIEW

AN INDEPENDENT NEWSPAPER

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MAIL SUBSCRIPTIONS: \$5.00 per year. Advertising and news articles may be mailed (Box 68, Greenbelt), deposited in our box at the Twin Pines office, or delivered to the editorial office in the basement of 15 Parkway (474-4131), open after 8:30 p.m. Tuesday. Deadline is 9:30 p.m. on Tuesday.

Volume 33, Number 26

Thursday, May 21, 1970

Budget Hearing

To the Editor:

Next Wednesday, May 27 at 8 p.m. at Prince Georges Community College, there will be a county budget hearing.

One of the items is the money allocated for the senior high school in Greenbelt.

I would strongly recommend that all people concerned write to the five county commissioners and urge them to withdraw this money for the current fiscal year.

One of the latest problems connected with Parcel 2 is that of sewage. Senate Resolution 81 has been signed by Governor Mandel which, I feel, is a leverage for the city.

We need to have this school in an advantageous location. To prolong the building of the school for another year, I submit, would not be too long to wait.

Please do write and also attend this meeting. If anyone needs a ride do contact me - 345-8630.

Irene Hensel

Misrepresentation

To the Editor:

I object most emphatically to the first paragraph of Virginia Beauchamp's article titled "Impasse Confronts Council; Citizens Clash Over I-95." Her allusion to those citizens concerned about our environment who "seek also to call a halt to industrial and economic expansion on all fronts" is such a gross misrepresentation that it amounts to a mindless attack on the ideas of people who care deeply about the survival of mankind.

I was present at the meeting, and I heard no one make any statement implying support of a "halt to industrial and economic expansion on all fronts." On the contrary, the opponents of the freeway advocated expansion of mass transport systems such as railroads and buses.

The danger in Mrs. Beauchamp's editorializing is twofold. Firstly, in distorting to the point of absurdity the conflict between our desire for the "good life" and the necessity to avoid destroying the earth and the biological environment which are the ultimate source of our material wealth, she makes it appear that any rational solution to the problem is virtually impossible. Secondly, by making people concerned about environmental problems appear to be a group of crackpots, she is leading her readers to close their minds to what these citizens are really saying.

The environmental problems we face are immense; the solutions will be difficult to find. The struggle to find some way to continue enjoying the "good life" without abusing the environment to the point where the biological system of which we are a part will no longer sustain us will not be served by irresponsible reporting.

(Mrs.) Nancy M. Neupert

Thanks

To the Editor:

We thank our National Guardsmen camped at St. Hugh's School for not only protecting us but also for being kind. They helped our school on our yearly sports day. They played football with my class, the fourth grade. Then the mothers fed them a good hot meal. They really were kind when they washed our windows, cleaned the classrooms and emptied the trash cans.

I thank them, again especially my two friends Lt. Burry and Sgt. Jack Webster.

Michael Donkin, 4th gr., St. Hugh's

Let Us Live

To the Editor:

Attention Parents!

Please tell your children who go out in their own boats or rented boats NOT to chase our young Duck-Family and to stop throwing stones at us. We cannot survive the constant abuse.

Please educate your children and

LET US LIVE

The Greenbelt Lake Ducks

Junior Highlights

GJHS's last school dance for the year is scheduled for Friday, May 22, 8-11 p.m. in the cafeteria.

Clover for Greenbelt

It has always seemed incredible to me, in a city such as Greenbelt, that parklands seem to resemble pastures or in fact hay fields and that sides of the road and sidewalks seem to resemble our city dump.

I would like to suggest that rather than leaving just ordinary grasses in our parks that we should plant alfalfa, broom grass, timothy, and of course clover. This way, when the city, county or G.H.I. mow the lawns they can rake the grass into windrows. Then after a day or two for drying, the hay can be baled by machine and sold to the Beltsville Agricultural Station or to any one of the nearby farms.

Why waste good land when you could make a profit?

Norman H. Letiecq

Greenbelt Democratic Club

Meeting Wednesday
May 27, 8:00 p.m.

Speaker:

Mr. Edward Windsor

Topic: American Involvement
in Southeast Asia

Public Invited

Budget Item for Road Improvements Queried

The public works budget and sources of revenue for the coming fiscal year were the subject of a special city council meeting on Wednesday May 13. The review of the public works budget was not completed as many time-consuming questions were raised by council members and the audience.

One of the controversial items concerned city manager James K. Giese's recommendations with respect to funds for the access roads to the new senior high school on parcel 2 (land between Baltimore Washington Parkway and 36 to 44 Ridge Courts). Giese stated that if the school is approved for this site construction funds of \$58,000 would be needed to improve Greenbelt's existing core roads, especially since the perimeter road would never be finished in time for the school's opening.

Of the \$58,000, Giese is asking only \$8,000 for fiscal year 1971. This amount would be for improvement of Northway from Ridge to Hillside and would include the addition of curbs and gutters, the widening of the street at each intersection, the improvement of parking shoulders, and resurfacing.

In addition to the \$8,000, the 1971 budget calls for about \$6,500 to initiate engineering work related to the improvement of Northway and other access roads to the high school such as Hamilton Place and Ridge Road from Hamilton to Southway.

Giese stressed that even if the school site is changed about half the \$58,000 would still be needed eventually. He was referring particularly to curb and gutter and shoulder improvements to Ridge Road.

Members of the audience questioned the soundness of the city's position: opposing the school on one hand and at the same time making plans for improving access roads to accommodate the new school. Mayor Francis White and other council members said that the city has to exercise some foresight in considering all eventualities. However there was some acknowledgment that planning of such specificity may be premature at this time. Also raised were questions whether there might be alternatives to street widening, such as adoption of one-way streets, and whether GHI would be assessed for the cost of the sidewalks (estimated at \$5,000).

Another item that drew close questioning was Giese's proposal for reorganizing the public works department by providing three additional skilled labor jobs, upgrading some jobs in order to be competitive in the labor market, and providing additional supervisory positions. The public works crew of 33 men would be divided into five groups, each with its own foreman: general crew, parks and grounds crew, refuse crew, building and center crew, and shop and special details crew.

Some members of the audience questioned whether the salary structure was liberal enough to attract the necessary personnel and others thought the department was being expanded too fast. There was criticism of the city's slowness in picking up roadside leaves, and someone suggested that the leaves all be dumped in the woods.

Suggestions were also received on how to reduce waste collection costs, ranging from reducing the number of weekly pickups from three to two to having owners dispose of their papers and cans through sale to private contractors.

The first part of Wednesday's meeting was devoted to examining the revenue side of the budget. Giese noted that the city's assessed valuation has already been reduced by \$500,000 to allow for the possibility that GHI's or Springhill Lake's protest of recent reassessments might be sustained in part.

Giese said that the anticipated surplus for 1970 might be as much as \$110,000, of which \$40,000 is being reserved for the center mall improvement project. Among the items contributing to this surplus was an underestimate of Greenbelt's share of the State income tax by \$37,500 and of the city's share of gasoline and motor vehicle taxes by \$24,900.

PARISH TO HOLD FESTIVAL SERVICE

"Rejoicing and thanksgiving" will be the theme at a special festival service to be held on Sunday, May 24, at 3 p.m., at Holy Cross Lutheran Church. The purpose of the festival is to celebrate the completion of the sanctuary and to invite members of the neighboring churches to join in worship and thanksgiving. The formal dedication service of the new building was held on September 7, 1969.

Guest speaker for the event will be the Reverend Edwin E. Pieplow, pastor of Hales Corner Lutheran Church. Hales Corner, Wisconsin. Reverend Pieplow is well known in this area, having served in the late 1940s as mission pastor for what is now Holy Cross church as well as two other Lutheran missions, Ascension of Landover Hills and Redeemer of Hyattsville.

Leading the festival service will be the Reverend Edward H. Birner, pastor of the congregation.

River Jordan Slide Show

A slide-illustrated travelogue-lecture, following the course of the Jordan river from its sources down to the Dead Sea, will be held at Mishkan Torah Synagogue (Jewish Community Center) 8:30 p.m. Monday, May 25. The speaker will be Samuel Barr, an engineer whose hobby is the geography of Israel. He will describe the varied scenery and historical locations encountered along the river. Entrance is free and the public is invited.

Housing is Needed For War Opponents

On Tuesday, May 26, and Wednesday, May 27th, clergymen and concerned laymen of religious groups from all over the nation will be coming to Washington to visit their Senators and Congressmen in opposition to the war in Southeast Asia. FREE sleeping accommodations are needed on May 26, 27, (Call 345-1383, 474-8356, or 474-9484).

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11:00 a.m. Church School for Children and Youth (Child Care 10-12)

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11:00 a.m. "PROBE" Discussion groups for Adults.

MARRIAGE - SENSE AND NONSENSE

Resource Leader: Mr. Adolph Kunen, Executive Director of Montgomery County Association for Retarded Children.

THE CULTURE OF DRUGS - ESCAPE OR LIFE STYLE?

Resource Leader: Mr. Ted Coulson from the Board of Education.

BIBLE STUDY-CONFRONTING THE WORLD WITH THE

GOSPEL

Resource Leaders: Mrs. Pyne and Mr. Birchard

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11:00 A.M. Morning Worship 7:00 P.M. Evening Worship

7:30 P.M. Wednesday Midweek Service

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EMERGENCY RELIGIOUS CONVOCATION ON THE WAR IN SOUTHEAST ASIA

THE TIME FOR MARCHING IS NOW PAST

Clergymen and concerned laymen of religious groups from all over the nation shall be coming to Washington to meet with their

SENATORS AND CONGRESSMEN

Senators and Congressmen are beginning to listen to the voices of those opposed to the war.

If you are willing to provide FREE sleeping accommodations for one or two of these people, on

Monday evening May 25th and

Tuesday evening May 26th

please call one of the following phone numbers.

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If you want to take part in the convocation, please call the same numbers listed above.

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Place: North End Elementary School, Greenbelt, Md.

Date: May 23, 1970 Time: 1:00 P.M.

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CORRECTION

The Labor Day Festival Committee meeting was incorrectly printed last week as May 15. Actually it is May 25 (Monday) at 7:30 p.m. in the new library meeting room.

Local Churches Sponsor Gay Nineties Picnic

Featured performers at the Greenbelt Community Church's Gay Nineties Memorial Day Picnic will be the Marylandaires, a barbershop quartet. Singing songs popular in the 1890's, the quartet will highlight a day of old-fashioned fun, food, and games. Planned for Friday, May 29, from 3 to 9 p.m. the picnic will include something of interest for everybody.

There will be games for the small children, musical instruments for a children's band, finger painting, paper hats, balloons, swings and games; for the teen agers a record exchange, a hunt for gold and badminton; for the adults, an old fashioned cake walk, square dancing with caller Pete Peterson, an old fashioned country store (with cracker barrel) and horseshoes.

There will be listening fun for everybody with a band playing patriotic music, a men's chorus and the Marylandaires Quartet from the Prince George's chapter of the Society for the Preservation and Encouragement of Barbershop Quartet Singing in America. Prizes will be awarded for the best Gay Nineties costume.

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Our Neighbors

Elaine Skolnik 474-6060

Ivana and Oren Stern of 31 Lakeside happily announce the arrival of their brother Allon Joseph, and join in congratulating their parents Audrey and David. The youngest Stern made his appearance Monday, May 18, weighing in at 8 lb. 14 1/2 oz. and reaching 21" in length. His parents are staffers of the News Review.

Daniel and Janice (Meade) Puryear, and their four year old daughter Kelly Lynn, returned to the U.S.A. after three years in Chitose, Japan where Daniel, a sergeant in the United States Army (Army Security) was stationed. They are staying at the home of Janice's parents, Mr. and Mrs. Blackie Meade, 19-H Hillside, until June when they will move to University Hills Apartments. Daniel plans to return to the University of Maryland to complete his studies in the field of electrical engineering.

Sue and Don Soule proudly an-

nounce the arrival of a 7 lb. 1/2 oz. daughter, Angela Marie on Monday, May 11. Her happy grandparents are Mr. and Mrs. Aubrey Jones, and great-grandmother Mrs. Charles Jones, of Greenbelt, and grandparents Mr. and Mrs. Lois Soule of Calverton.

Birthday greetings to George Beauchamp, 3 Maplewood, who celebrated his twelfth birthday on May 19.

It's a son for Mr. and Mrs. Tom Hieber. Charles Christian was born May 12, and his grandparents are Mr. and Mrs. Charles Hyland and Mr. and Mrs. Thomas B. Hieber, all of Greenbelt.

Happy-birthday to Theresa Alfaro, 3-F Crescent, who will be six years old on May 25.

Gerald Mayhew of the Prince Georges Composite Squadron of the Civil Air Patrol qualified for his private pilots license on Saturday, May 2, 1970. Gerald has been a member of the CAP since 1966. He was Cadet Commander before becoming the finance officer for the senior membership.

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BOARD OF EDUCATION OF PRINCE GEORGE'S COUNTY UPPER MARLBORO, MARYLAND

William S. Schmidt, Superintendent

ANNOUNCEMENT

Registration for Kindergarten and First Grade for the 1970-1971 School Term

The Board of Education of Prince George's County announces that registration for kindergarten for the 1970-1971 school term will be held on Friday, June 5, from 9:00 a.m. to 3:30 p.m., in all elementary schools.

Parents should register their child at the elementary school in their attendance area. If parents are in doubt as to the school serving their attendance area, please call the Board of Education Office for this information. Telephone: 627-4800, extension 315.

Parents who are registering their child in kindergarten should bring the child's birth certificate as proof of age. Children entering the kindergarten must be five years old by January 1, 1971. Verification of the child's smallpox and diphtheria immunization must be presented to the school on or before the opening of school on Monday, August 31.

Registration will also be held for children who will be entering first grade in the 1970-1971 school term. Children entering the first grade must be six years old by January 1, 1971. Children who are enrolled in the Kindergarten Program in this school year (1969-1970) in the Prince George's County public schools need not register. Birth certificates and verification of immunizations must also be presented by parents registering children in the first grade, as the procedure is similar to that for registration of children in kindergarten.

Greenbelt Homes, Inc.

Hamilton Place

Greenbelt, Md.

FOR SALE:

3 b.r. corner brick home available for July occupancy; completely remodelled kitchen including eye-level oven; garbage disposal and dishwasher; ceramic tiled bath.

Very nice 2 b.r. attic brick home ready for immediate occupancy; good location.

3 b.r. masonry home, beautifully landscaped; within walking distance of shopping facilities.

Downstairs corner frame apartment; remodelled kitchen; fenced yard; early occupancy.

2 b.r. frame homes; one with added room; all available for early occupancy; many improvements.

For information call

Mary E. Dixon, Broker

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Help Save Our Community

Let the Commissioners Know Where You Stand

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Save Our Community Committee

William F. Latham, Chairman

Rhea Cohen, Vice Chairman

Prince Georges County Commissioners

Frank J. Aluisi, Chairman

County Court House

Upper Marlboro, Md.

Gentlemen:

As a citizen of this county and of the city of Greenbelt, I strongly oppose the location of the Junior-Senior High School complex on Parcel 2 because, in brief, it would disrupt the community and present serious access and sewage problems.

As a citizen I ask you and your fellow Commissioners to use the power of your elective office to:

- Block the construction of this complex by refusing to approve the construction fund allocation in the 1971 school budget.
- Strongly urge the School Board that they begin now to plan for acquisition of another site.
- Clearly notify the School Board that we in this city bitterly and overwhelmingly oppose this disregard for the feelings of the community.

Name

Address

Text of U.S. Supreme Court Libel Opinion

SUPREME COURT OF THE UNITED STATES

No. 413—October Term, 1969

Greenbelt Cooperative Publishing Association, Inc., et al.,
Petitioners,

v.

Charles S. Bresler

On Writ of Certiorari
to the Court of Appeals
of Maryland.

(May 18, 1970)

Mr. Justice Stewart delivered the opinion of the Court.

The petitioners are the publishers of a small weekly newspaper, the Greenbelt News Review, in the City of Greenbelt, Maryland. The respondent Bresler is a prominent local real estate developer and builder in Greenbelt, and was, during the period in question, a member of the Maryland House of Delegates from a neighboring district. In the autumn of 1965 Bresler was engaged in negotiations with the Greenbelt City Council to obtain certain zoning variances that would allow the construction of high density housing on land owned by him. At the same time the city was attempting to acquire another tract of land owned by Bresler for the construction of a new high school. Extensive litigation concerning compensation for the school site seemed imminent, unless there should be an agreement on its price between Bresler and the city authorities, and the concurrent negotiations obviously provided both parties considerable bargaining leverage.

These joint negotiations evoked substantial local controversy, and several tumultuous city council meetings were held at which many members of the community freely expressed their views. The meetings were reported at length in the news columns of the Greenbelt News Review. Two news articles in consecutive weekly editions of the paper stated that at the public meetings some people had characterized Bresler's negotiating position as "blackmail." The word appeared several times, both with and without quotation marks, and was used once as a subheading within a news story.

Bresler reacted to these news articles by filing the present lawsuit for libel, seeking both compensatory and punitive damages. The primary thrust of his complaint was that the articles, individually, and along with other items published in the petitioners' newspaper, imputed to him the crime of blackmail. The case went to trial and the jury awarded Bresler \$5,000 in compensatory damages and \$12,500 in punitive damages. The Maryland Court of Appeals affirmed the judgment. 253 Md. 324, 252 A. 2d 755. We granted certiorari to consider the constitutional issues presented. 396 U. S. 874.

In *New York Times Co. v. Sullivan*, 376 U. S. 254, we held that the Constitution permits a "public official" to recover money damages for libel only if he can show that the defamatory publication was not only false but was uttered with "actual malice"—that is, with knowledge that it was false or with reckless disregard of whether it was false or not." *Id.*, at 280. In *Curtis Publishing Co. v. Butts*, 388 U. S. 130, we dealt with the constitutional restrictions upon a libel suit brought by a "public figure."

In the present case Bresler's counsel conceded in his opening statement to the jury that Bresler was a public figure in the community. This concession was clearly correct. Bresler was deeply involved in the future development of the City of Greenbelt. He had entered agreements with the city for zoning variances in the past, and was again seeking such favors to permit the construction of housing units of a type not contemplated in the original city plan. At the same time the city was trying to obtain a tract of land owned by Bresler for the purpose of building a school. Negotiations of significant public concern were in progress, both with school officials and the city council. Bresler's status thus clearly fell within even the most restrictive definition of a "public figure." *Curtis Publishing Co. v. Butts*, supra, 154-155. See also *Pauling v. Globe-Democrat Publishing*

Co., 362 F. 2d 188, 195-196, cert. denied 388 U. S. 909.

Whether as a state legislator representing another county, or for some other reason, Bresler was a "public official" within the meaning of the *New York Times* rule is a question we need not determine. Cf. *Time, Inc. v. Hill*, 385 U. S. 374, 390; *Rosenblatt v. Baer*, 383 U. S. 75, 86 n. 12. For the instructions to the jury in this case permitted a finding of liability under an impermissible constitutional standard, whichever status Bresler might be considered to occupy. In his charge to the members of the jury, the trial judge repeatedly instructed them that Bresler could recover if the petitioners' publications had been made with malice or with a reckless disregard of whether they were true or false. This instruction was given in one form or another half a dozen times during the course of the judge's charge.² The judge then defined "malice" to include "spite, hostility, or deliberate intention to harm." Moreover, he instructed the jury that "malice" could be found from the "language" of the publication itself.³ Thus the jury was permitted to find liability merely on the basis of a combination of falsehood and general hostility.

This was error of constitutional magnitude, as our decisions have made clear. This definition of malice is constitutionally insufficient where discussion of public affairs is concerned; (w)e held in *New York Times* that a public official might be allowed the civil remedy only if he establishes that the utterance was false and that it was made with knowledge of its falsity or in reckless disregard of whether it was false or true." *Rosenblatt v. Baer*, supra, at 84. "(E)ven where the utterance is false, the great principles of the Constitution which secure freedom of expression in this area preclude attaching adverse consequences to any except the knowing or reckless falsehood. Debate on public issues will not be uninhibited if the speaker must run the risk that it will be proved in court that he spoke out of hatred . . ." *Garrison v. Louisiana*, 379 U. S. 64, 73. See also *Beckley Newspapers Corp. v. Hanks*, 389 U. S. 81, 82. And the constitutional prohibition in this respect is no different whether the plaintiff be considered a "public official" or a "public figure." *Curtis Publishing Co. v. Butts*, supra.

The erroneous instructions to the jury would, therefore, alone be enough to require the reversal of the judgment before us. For when "it is impossible to know, in view of the general verdict returned" whether the jury imposed liability on a permissible or an impermissible ground, "the judgment must be reversed and the case remanded." *New York Times Co. v. Sullivan*, supra, at 284. See *Time, Inc. v. Hill*, supra, at 394-397; *Rosenblatt v. Baer*, supra, at 82; *Stromberg v. California*, 283 U. S. 359, 367-368.

This, however, does not end the inquiry. As we noted in *New York Times*, "(t)his Court's duty is not limited to the elaboration of constitutional principles; we must also in proper cases review the evidence to make certain that those principles have been constitutionally applied . . . We must 'make an independent examination of the whole record,' . . . so as to assure ourselves that the judgment does not constitute a forbidden intrusion on the field of free expression." 376 U. S., at 285.

This case involves newspaper reports of public meetings of the citizens of a community concerned with matters of local governmental interest and importance. The very subject matter of the news reports, therefore, is one of particular First Amendment concern. "The maintenance of the opportunity for free political discussion to the end that government may be responsive to

the will of the people and that changes may be obtained by lawful means . . . is a fundamental principle of our constitutional system." *Stromberg v. California*, supra, at 369. "Freedom of discussion, if it would fulfill its historic function in this nation, must embrace all issues about which information is needed or appropriate to enable the members of society to cope with the exigencies of their period." *Thornhill v. Alabama*, 310 U. S. 88, 102-4. Because the threat or actual imposition of pecuniary liability for alleged defamation may impair the unfettered exercise of these First Amendment freedoms, the Constitution imposes stringent limitations upon the permissible scope of such liability.⁵

It is not disputed that the articles published in the petitioners' newspaper were accurate and truthful reports of what had been said at the public hearings before the city council.⁶ In this sense, therefore, it cannot even be claimed that the petitioners were guilty of any "departure from the standards of investigation and reporting ordinarily adhered to by responsible publishers." *Curtis Publishing Co. v. Butts*, supra, at 155 (opinion of HARLAN, J.), much less the knowing use of falsehood or a reckless disregard of whether the statements made were true or false. *New York Times Co. v. Sullivan*, supra, at 280.

The contention is, rather, that the speakers at the meeting, in using the word "blackmail," and the petitioners in reporting the use of that word in the newspaper articles, were charging Bresler with the crime of blackmail, and that since the petitioners knew that Bresler had committed no such crime, they could be held liable for the "knowing use of falsehood." It was upon this theory that the case was submitted to the jury, and upon this theory that the judgment was affirmed by the Maryland Court of Appeals. 253 Md. 324, 360-364, 252 A. 2d 755, 775-778. For the reasons that follow, we hold that the imposition of liability on such a basis was constitutionally impermissible—that as a matter of constitutional law, the word "blackmail" in these circumstances was not slander when spoken, and not libel when reported in the Greenbelt News Review.

There can be no question that the public debates at the sessions of the city council regarding Bresler's negotiations with the city were a subject of substantial concern to all who lived in the community. The debates themselves were heated, as debates about controversial issues usually are. During the course of the arguments Bresler's opponents characterized the position he had taken in his negotiations with the city officials as "blackmail." The Greenbelt News Review was performing its wholly legitimate function as a community newspaper when it published full reports of these public debates in its news columns. If the reports had been truncated or distorted in such a way as to extract the word "blackmail" from the context in which it was used at the public meetings, this would be a different case. But the reports were accurate and full. Their headlines, "School Site Stirs Up Council-Rezoning Deal Offer Debated" and "Council Rejects By 4-1 High School Site Deal," made it clear to all readers that the paper was reporting the public debates on the pending land negotiations. Bresler's proposal was accurately and fully described in each article, along with the accurate statement that some people at the meetings had referred to the proposal as blackmail, and others had indicated they thought Bresler's position not unreasonable.

It is simply impossible to believe that a reader who reached the word "blackmail" in either article would not have understood exactly what was meant: it was Bresler's public and wholly legal negotiating proposals that were being criticized. No reader could have thought that either the speakers at the meetings or the newspaper articles reporting their words were charging Bresler with the commission of a criminal offense.⁷ On the contrary,

even the most careless reader must have perceived that the word was no more than rhetorical hyperbole, a vigorous epithet used by those who considered Bresler's negotiating position extremely unreasonable. Indeed, the record is completely devoid of evidence that anyone in the city of Greenbelt or anywhere else thought Bresler had been charged with a crime.

To permit the infliction of financial liability upon the petitioners for publishing these two news articles would subvert the most fundamental meaning of a free press, protected by the First and Fourteenth Amendments. Accordingly, we reverse the judgment and remand the case to the Court of Appeals of Maryland for further proceedings not inconsistent with this opinion.

It is so ordered.

¹ The relevant portions of these news articles are printed as an appendix to this opinion.

² The following excerpts from the trial judge's charge are illustrative:

"Accordingly . . . you must find for the defendant on the issue of fair comment, unless you determine by a preponderance of the evidence that the comment, or criticism . . . was published with malice or a reckless disregard of whether it was true or false."

" . . . And such statements repeated and/or published, unless with actual malice, or knowledge that they are false, reckless disregard for whether they are true or false, is not libel."

"The law recognizes the importance of free discussion and criticism and matters of public interest to the extent that it grants immunity even with respect to the publication of foolish and prejudicial criticism if they are not published with malice, knowledge of their not being true, it is knowledge they are false, or reckless disregard of whether they are true or false."

"(Y)our verdict should be for the defendant unless you find that the publication was made with actual malice, knowledge of its falsity, or reckless disregard of whether it was true or false."

" . . . (Y)our verdict should be for the defendant unless you find again the publication was with actual malice, knowledge of its being false or reckless disregard of whether it was true or false."

³ The trial judge said:

"With respect to your consideration of presence of actual malice on the part of defendant, you may infer its presence from the language or circumstances of the publication, but this may be done only if the character of the publication is so excessive, intemperate, unreasonable and abusive as to deny any other reasonable conclusion than that the defendant was moved by actual malice toward the plaintiff."

⁴ See also Note: The Scope of First Amendment Protection for Good-Faith Defamatory Error, 75 Yale L. J. 642, 644-645; *Pedrick, Freedom of the Press and the Law of Libel: The Modern Revised Translation*, 49 Cornell L. Q. 381, 592-593.

⁵ Cf. *Pauling v. Globe-Democrat Publishing Co.*, 362 F. 2d 188, cert. denied 388 U. S. 909; *Kalven, The New York Times Case: A Note on "The Central Meaning of the First Amendment"*, 1964 Sup. Ct. Rev. 191, 221.

⁶ The mayor of the city testified, "Certainly nothing in here that reports the meeting any different from the way it happened. This is pretty much the way it happened. If I would say anything, it is rather conservative in presenting some of the comments."

The reporter who wrote one of the articles testified, "(T)he people were really mad and that word 'blackmail' was used not once or twice like in my story, but over and over again."

"Q. By who?"

"A. By people at the meeting. And I felt if I left that out I really wouldn't be writing a truthful article."

⁷ Under the law of Maryland the crime of blackmail consists in threatening to accuse any person of an indictable crime or of anything which, if true, would bring the person into contempt or disrepute, with a view to extorting money, goods, or things of value. See Maryland Code Ann., Art. 27, § 561-563 (1967). There is, of course, no indication in any of the articles that Bresler had engaged in anything approaching such conduct.

APPENDIX

On October 14, 1965, the following story appeared in the Greenbelt News Review:

School Site Stirs Up Council Rezoning Deal Offer Debated

By Dorothy Sucher

Delay in construction of a new Greenbelt high school is the lever by which a local developer is pressuring the city to endorse his bid for higher density rezoning of two large tracts of land; so citizens heard at a well-attended special meeting of the City Council on Monday night, Oct. 11.

For the past nine months, the Board of Education has been trying to acquire land owned by Consolidated Syndicates, Inc. (Charles Bresler-Theodore Lerner), for a high school site. The landowners, developers of Charlestowne Village, also own other tracts of undeveloped land in Greenbelt.

The developer has refused to accept the Board of Education's price, and condemnation proceedings have already been delayed three times . . . Originally, it was hoped the new school would open September 1966.

Some time ago, it became known that the developer would agree on the price, provided the city would help him obtain higher density rezoning for two of his tracts (Parcels 1 and 2, totaling 230 acres) near the center of Greenbelt. If the city refused, he threatened to delay the school site acquisition as long as possible through the

courts.

This "deal" as it was termed by several citizens at Monday's meeting, has been rumored for months, but only became public knowledge recently. It was categorically opposed by Nathan Shinderman, a Board member of Greenbelt Homes, Inc. (GHI), who read a lengthy statement by GHI president Charles Schwan . . .

Blackmail

"It seems that this is a slight case of blackmail," commented Mrs. Marjorie Bergemann on Monday night, and the word was echoed by many speakers from the audience.

Councilman David Champion, however, denied that it was "blackmail," explaining that he would rather "refer to it (i.e., the negotiations—Ed.) as a two-way street."

Speaking from the floor, Gerald Gough, commented: "Everyone knows there's a need for a school—just walk through the halls of High Point. The developer knows there's a need and says, 'we'll meet your need if you meet our need.' In my opinion, it's highly unethical."

Delay Probable

Mayor Edgar Smith remarked that it should be made clear that refusing the developer's terms did not necessarily mean the loss of the school site; that it would, however, probably mean a two or three year delay in the construction of the school.

* * *

Among the parents who spoke was Mrs. Joseph Rosetti, who said: "I have several children going into high school, but I would rather adhere to the Greenbelt Master Plan than overcrowd the town with dense development. I would stand for my children's discomfort, rather than give in to a blackmailing scheme."

The following week, the News Review carried the sequel to its earlier story:

Council Rejects by 4-1

High School Site Deal

By Mary Lou Williamson

More than 150 citizens came to hear how the new City Council would respond to pressure by a local developer for higher density zoning on a large tract of land in exchange for uncontested consummation of the sale of a Greenbelt senior high school site to the Board of Education at the Council meeting Monday night.

Council sat quietly listening for more than an hour to citizen statements before voting to reject the proposal (4-1) with Councilman Dave Champion dissenting.

Citizens Speak

A procession of citizens took the floor to make impassioned speeches—some from prepared texts, some extemporaneously. The mayor occasionally had to caution them to refrain from engaging in personalities.

Albert Herling suggested skulduggery in the September court postponement. Although he praised most of the City Manager's report, he criticized the section entitled "Risks and Conclusions," saying they appeared negative in the extreme. He suggested a list of positive steps that council ought to take: 1) fight Bresler's "blackmail"; 2) make clear to the Board of Education—no deals; 3) make clear to the District Council (zoning authority) unanimous opposition to the requested R-30 zoning; and 4) seek the swiftest possible court settlement. "For anything less," charged Herling, "Would be other than what you believe. And when the chips are down, this is exactly what you'll do."

* * *

Pilski asked if anyone in the audience cared to speak in support of Bresler's proposal.

Only James Martin took the floor. He suggested that Bresler's action was not "blackmail" but the legitimate advance of his rights to develop his land. Martin suggested, by way of example, that GHI's long-range planning committee had been doing much the same thing some months ago. He alleged that the density of the "frame homes (GHI) is far more atrocious than anything Bresler's considering."

—cont'd page 5, col. 1

Supreme Court Concurring Opinions

SUPREME COURT OF THE UNITED STATES

No. 413—October Term, 1969

Greenbelt Cooperative Publishing Association, Inc., et al., Petitioners, v. Charles S. Bresler.

On Writ of Certiorari to the Court of Appeals of Maryland.

(May 18, 1970)

MR. JUSTICE WHITE, concurring.

I concur in the judgment of reversal and join the opinion of the Court insofar as it rests reversal on the erroneous definition of malice contained in the instructions given to the jury. I do not, however, join the remainder of the Court's opinion.

Respondent Bresler charged that he had been libeled by at least four statements published in petitioner's newspapers: (1) a statement that Bresler's conduct amounted to "a slight case of blackmail," accompanied by the use of the word "blackmail" as a column subheading; (2) a charge that Bresler had engaged in an "unethical trade"; (3) an allegation that Bresler had been guilty of "skulduggery," a word used by the newspaper to characterize statements made by others about Bresler; and (4) a statement that Bresler had had legal proceedings "started against him for failure to make construction corrections in accordance with county standards." Petitioner contended that the use of the word blackmail had not been intended in the criminal sense and was not libelous and that in any event the newspaper had not made its publications with malice, that is, with knowledge that any of the statements were false or with reckless disregard of the falsity of any of them.

In instructing the jury the trial court defined libel as:

"the publication of words, pictures or symbols which imputes to a person a crime or a disgraceful or dishonest or immoral conduct or is otherwise injurious to the private character or credit of the person in the minds of a considerable and respectable class in the community"

"(T)he burden is upon the plaintiff to establish by a preponderance of the evidence that the publication imputed to him a crime, or disgraceful, dishonest or immoral conduct or was otherwise injurious to his private character or credit"

App., at E. 189.

With respect to the dispute over the sense with which the charge of blackmail had been used the court told the jury:

"If you are unable to conclude from the preponderance of the evidence that the publication bears a meaning ascribed to it by the plaintiff, or if you find that the evidence is equally balanced on that issue, then your verdict must be for the defendant"

"In considering the publication complained of, you must consider the publication as a whole—the Court would say in this case we are talking about serious, (sic) number of publications—and determine the meaning of the publication and how it would be understood by ordinary readers from the entire context thereof with the other facts and circumstances shown by the evidence."

"Where a publication is susceptible of two meanings one of those which would be libelous and the other not, it is up to you to say which of the two meanings would be attributable to it, by those to whom it is addressed or by whom it may be read. In reaching your decision you can consider all the circumstances surrounding the publication, which includes all the of the evidence which has been admitted."

Id., at E. 189-190.

The court also defined the crime of blackmail and told the jury that in this sense the defendant newspaper did not claim that the allegations were true.

meaning of the words alleged by the plaintiff. See App., at E. 10-11.

The jury returned a verdict for plaintiff, and judgment was entered on the verdict for both compensatory and punitive damages.

The Court of Appeals of Maryland affirmed. The court held that aside from federal constitutional protections urged by petitioner, the jury's verdict and subsequent judgment thereon were supported by the evidence. With respect to the blackmail charge the court said: "In the instant case the word 'blackmail' was used as a subheading without qualification. The charge of blackmail was stated in the News Review issue of October 14, 1965, and was again repeated in the next week in the issue of October 21. The appellants argue that the word 'blackmail' was used in a non-criminal sense, but the intended meaning was for the jury to determine. American Stores v. Byrd, supra. The jury found against the appellants."

"The charging of Mr. Bresler with having committed blackmail could be found by the jury (as it was) to charge him with the commission of a crime." 253 Md. 324, 351-352, 252 A. 2d 755, 770 (1969).

The court also dealt with the other publications:

"In addition to the publications that Mr. Bresler had committed blackmail, there were publications that he had engaged in 'an unethical trade,' had been guilty of 'skulduggery,' had legal proceedings 'started against him for failure to make construction corrections in accordance with county standards.' These allegations were injurious to Mr. Bresler in his business as a contractor and were libelous per se." Id., at 354, 252 A. 2d, at 772.

As for the issue of malice, the Court of Appeals noted that the newspaper knew the blackmail charge was false in the criminal sense. With reference to the charge of "skulduggery" the court pointed out that the newspaper had not quoted another source in using that word; rather, it was the publishers' own characterization of the events.

"There is little doubt that the word 'skulduggery' was intended to indicate dishonest conduct on the part of Bresler and to hold him up to ridicule and contempt."

The jury could properly conclude that the reports of the hearing were not accurately reported and were, also, published with a knowledge of their falsity or with serious doubt of their truthfulness." Id. at 360, 252 A. 2d, at 775.

The court also held that the allegations that homeowners had started legal proceedings against Bresler in regard to construction defects in their homes built by him had been made with reckless disregard for the truth.

In reversing the Maryland Court of Appeals, the Court does not deny that the Constitution would permit recovery for charging the crime of blackmail, or even for falsely accusing one of "blackmail" in a noncriminal but derogatory sense "injurious to the private character or credit of the person." The Court does not deny that the jury was told it had the authority to decide in what sense a word was used or understood, nor does the Court question the conclusion of the Court of Appeals that the jury had found that the word had been used and understood in the criminal sense. What the Court does hold on the cold record is that the trial judge, the jury and the Maryland Court of Appeals were quite wrong in concluding that "ordinary readers" could have understood that a crime had been charged. If this conclusion rests on the proposition that there was no evidence to support a judgment that the charge of blackmail would be understood by the average reader to import criminal conduct, I cannot agree. The very fact that the word is conceded to have a double meaning in normal usage, is itself some evidence; and without challenging the reading of the jury's verdict by the Maryland Court of Appeals, I cannot join the majority claim of superior insight with respect to how the word "black-

mail" would be understood by the ordinary reader in Greenbelt, Maryland.

Although the Court does not so hold, arguably the newspaper should not be liable if it had no intention of charging a crime and had a good faith, nonreckless belief that it was not doing so. Should *New York Times v. Sullivan*, 376 U. S. 254 (1964), be extended to preclude liability for injury to reputation caused by employing words of double meaning, one of which is libelous, whenever the publisher claims in good faith to have intended the innocent meaning? I think not. The *New York Times* case was an effort to effectuate the policies of the First Amendment by recognizing the difficulties of ascertaining the truth of allegations about a public official whom the newspaper is investigating with an eye to publication. Absent protection for the non-reckless publication of "facts" which subsequently proved to be false, the danger is that legitimate news and communication will be suppressed. But it is quite a different thing, not involving the same danger of self-censorship, to immunize professional communicators from liability for their use of ambiguous language and their failure to guard against the possibility that words known to carry two meanings, one of which imputes commission of a crime, might seriously damage the object of their comment in the eyes of the average reader. I see no reason why the members of a skilled calling should not be held to the standard of their craft and assume the risk of being misunderstood—if they are—by the ordinary reader of their publication. If it is thought that the First Amendment requires more protection for the media in this respect in accurately reporting events and statements occurring at official meetings, it would be preferable directly to carve out a wider privilege for such reporting.

I agree with the Court that there was error in the instructions concerning malice. The error, however, is irrelevant to the "blackmail" phase of this case as I view it: if one assumes that the jury found that the crime of blackmail was charged, "malice" is conceded, since the defendant admittedly knew such a charge was false.

Nevertheless, the jury returned a general verdict; it might have found that the blackmail statement did not impute a crime, but that the other damaging statements published by the newspaper were libelous. Indeed, this is the most likely course for the jury to take if the Court is correct that there was so little reason for basing liability on the blackmail allegation. Given this possibility, the error in the instructions requires reversal of the judgment. *Stromberg v. California*, 283 U. S. 359 (1931).

SUPREME COURT OF THE UNITED STATES

No. 413—October Term, 1969

Greenbelt Cooperative Publishing Association, Inc. et al., Petitioners, v. Charles S. Bresler

On Writ of Certiorari to the Court of Appeals of Maryland

(May 18, 1970)

Mr. Justice Black, with whom Mr. Justice Douglas joins, concurs in the judgment of the Court for the reasons set out in Mr. Justice Black's concurring opinion in *New York Times Co. v. Sullivan*, 376 U.S. 254, 293 (1964), in his concurring and dissenting opinion in *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 170 (1967), and in Mr. Justice Douglas' concurring opinion in *Garrison v. Louisiana*, 379 U. S. 64, 80 (1964).

Wig and Poncho Show

A gala wig and poncho show will be held at St. Hugh's Hall on Wednesday evening, May 27, at 8:30 p.m. Styled wigs will be displayed and modeled. Ponchos imported from Ecuador and other handcrafted articles will also be shown. Two door prizes will be given - one wig and one poncho. Refreshments will be served.

Tickets may be purchased at the door. For information call Mrs. Andrew Keller, 345-1458.

\$1.00 DISCOUNT

GREENBELT SWIMMING POOL

Greenbelt residents are advised that all season passes purchased before opening day are subject to a dollar discount on the total price. With discount, resident season passes are:

Family	\$27.00
Single	\$16.00

To be eligible for the discount, your money or check must be at the City Treasurer's Office by 4:30 P.M., Thursday, May 28, 1970.

CITY OF GREENBELT

INVITATION TO BID

NOTICE TO CONTRACTORS

Sealed proposals addressed to the Mayor and City Council of Greenbelt, Prince George's County, Maryland for the construction of the addition to the Recreation Center will be received at the City of Greenbelt Office, 25 Crescent Road, Greenbelt, Maryland 20770, until

8:00 P.M., D.S.T., Monday, June 8, 1970

At which time they will be publicly opened and read.

Drawings and specifications are available at the office of Greenhorne, and O'Mara, Inc., 6715 Kenilworth Avenue, Riverdale, Maryland. A deposit of \$20.00 for each set of drawings and specifications is required.

Gudrun H. Mills, City Clerk

INVITATION TO BID

NOTICE TO CONTRACTORS

Sealed proposals addressed to the Mayor and City Council of Greenbelt, Prince George's County, Maryland, for storm drainage and paving of Gentry Drive for Contract GR-70-02 will be received at the City of Greenbelt Office, 25 Crescent Road, Greenbelt, Maryland 20770, until

8:00 P.M., D.S.T., Monday, June 8, 1970

At which time they will be publicly opened and read.

Approximate quantities for bid are 3,400 C.Y. of Roadway excavation, 4,860 S.Y. of road construction and paving, one storm drain structure, 2,280 L.F. of curb and gutter, 3,000 S.F. of sidewalk, 2,000 S.Y. of seeding, 230 S.Y. of driveway.

Plans and specifications may be obtained from the Office of Greenhorne and O'Mara, Inc., 6715 Kenilworth Avenue, Riverdale, Maryland 20840, at a cost of \$5.00 for each set which is not refundable.

Gudrun H. Mills, City Clerk

Now Available

Savings Certificates

In Multiples of \$1,000

Due 1 July 1971

Paying

6 1/2%

INTEREST

Regular Rate 5 1/2%

Twin Pines Savings and Loan

474-6900

9 A.M. - 8 P.M. WEEKDAYS

9 A.M. - 2 P.M. SATURDAY

What kind of investment is Freedom Shares?

☐ Shrewd? ☐ Safe? ☐ Patriotic? ☐ Exclusive?

You're right if you checked all four boxes.

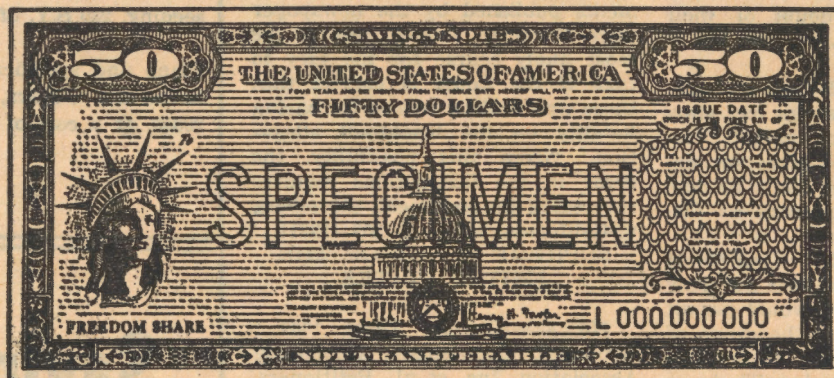
Freedom Shares are a shrewd investment because they pay 4.74% when held to maturity. They mature in just four-and-a-half years, and are redeemable after one year.

There is no safer investment because Freedom Shares are backed by The United States of America.

Exclusive? Absolutely. Not everyone can buy new Freedom Shares.

You have to belong to the Bond-a-Month or Payroll Savings Plan. Freedom Shares are a bonus opportunity for these regular Bond buyers.

And, as you help yourself by buying Freedom Shares, you're also helping your country. Sign up for Freedom. Get all the facts from the payroll people where you work or any officer where you bank.



U.S. Savings Bonds, New Freedom Shares

The U.S. Government does not pay for this advertisement. It is presented as a public service in cooperation with the Treasury Department and The Advertising Council.



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CLASSIFIED

\$1.00 for a 10-word minimum, 5c for each additional word. Submit ads in writing, accompanied by cash payment, either to the News Review office at 15 Parkway before 10 p.m. of the Tuesday preceding publication, or to the Twin Pines Savings and Loan office. There is no charge for advertising items that are found.

CALDWELL'S WASHER SERVICE. All makes expertly repaired. Authorized Whirlpool dealer. GR 4-5515. 103 Centerway.

PIANO TUNING AND REPAIR. EXPERIENCED. RELIABLE. 474-6894.

TYPEWRITER REPAIR, ELECTRIC, STANDARD AND PORTABLES. Call 474-6018.

APARTMENT FOR RENT - Call 345-5815.

CUSTOM DRESSMAKING AND ALTERATIONS by expert seamstress. Call 345-8610.

LEARN TO DRIVE - Beat high cost of Driver Education - **CALL TRI-STATE DRIVING SCHOOL** - off. 347-7773, res. 420-9016.

LOST: Cat, Himalayan, male, markings and color like Siamese, long hair. Lost vicinity old Greenbelt. Substantial REWARD. 474-7272.

AIR-CONDITIONING - Installation - Cleaning and Lubrication. Call anytime 474-7229.

WANTED: - Driver or rider to Tempo B, 4th and R Sts., SW - Parking provided. Call 474-2864.

ELECTROLUX

Need ladies & gentlemen to represent us in this area.

Please Call
782-2151

GIVE-AWAY - 1 Grey female kitten, 7 wks. old, box-trained. 474-7524 after 4 p.m.

WANTED: Ride to Silver Spring, 8:00 to 4:30. Call 345-1671 after 5 p.m.

ANTENNA PROBLEMS

Expert antenna man will install new/repair antenna in my spare time and Sundays.

474-7229

WILL TYPE term and thesis and other kinds of papers. 345-8654.

SECRETARY - AVERAGE TO GOOD TYPIST - SHORTHAND NOT REQUIRED - DUTIES INCLUDE ROUTINE OFFICE WORK PLUS ANSWERING TELEPHONE - PREFER LADY OVER 30 WITH NO SMALL CHILDREN. ONE GIRL OFFICE, PUNCTUALITY AND ATTENDANCE IMPORTANT. PHONE 345-3345 FOR INTERVIEW.

FOR SALE: - Chrome Dinette Set, DRUM TABLE, Gateleg & odd tables - girl's bike, vanity, glider & Chaise, fire truck & elec. stove. Sat. 1-5, 12-B Ridge, 654-5041 evenings.

SALE: - Datsun, sports model '69; excel. cond., low mileage; \$2200 or best offer; 474-7337 after 7 p.m.

NEEDED - home for one little cream & white male kitten - 474-8668.

SELL CEMETERY PLOT - Fort Lincoln, lawn crypt inside Garden of Apostles. Bronze memorial included. Cost \$1660 - asking \$1000. 345-6179.

WANTED: - Mother/Housewife preferably in Boxwood, with young child to keep our son, age 19 mos. 5 days per week while mother works. 474-4840.

GARAGE SALE: - Everything goes. Indoors-outdoors, May 23 & 24, 139 Northway, Greenbelt.

GIVE PIANO LESSONS for beginner, intermediate, advance. Experienced teacher. Piano Major. Call 345-8453 Miss Yun.

CHILD CARE by the day or week - excellent reference. 345-1702.

B/W 21" T.V. in good working condition - \$20; Baby Crib/Mattress - \$10. 345-1702.



State Farm Insurance
Ron Borgwardt
474-8400

Auto - Life - Homeowners
10210 Baltimore Blvd.
College Park, Md. 20740
(on U. S. 1 at the Beltway)

FOR SALE: - Kenmore 21" Electric Stove in good condition - reasonably priced. 474-4634.

1966 Blue Sedan VW - will accept reasonable offer. 474-3587.

AIR-CONDITIONING, PRE-SEASON MAINTENANCE SERVICE, INSTALLATION OF CENTRAL AND WINDOW-UNITS. REASONABLE RATES
345-2019.

WILL BUY, SELL OR SWAP a Cosco mesh playpen, in good condition, for a small child's tricycle. 474-5310.

NURSE wanted for Greenbelt Pediatrician's office. 345-3030.

PORTER'S LIQUORS

(Next to McDonald's)

8200 Balto. Blvd. 474-3273

Complete Line of Beverages
We specialize in wines from around the world.

Greenbelt Carry-Out**MEMORIAL DAY SPECIAL**

Saturday, Sunday Only

● Free drink with every small cheese pizza 55c

● Golden Joe Special 65c

● Golden Joe Extra 69c

(Your choice of 16 oz. carton Pepsi or Half Gallon Ice Cream)

107 Centerway

OPEN SUNDAYS

474-4998

Typewriter Repairing

All Makes

Standard, Electric and Portable

277-8333 or 773-0913

Howard Typewriter Company
3907 56th Avenue
Cheverly, Md.

Two Toy Poodle Pups - show quality - shots - A.K.C. - registered. 474-3219.

"Marie's Poodle Grooming" - Give your Poodle a new look. 474-3219.

WANTED: - Licensed electrician for wiring and hanging chandelier, call 345-3743.

FOR SALE: - 2-Br. Frame, uniquely remodeled, Spanish dining area (beams, and stucco walls), \$80/mo. after down pmt., reasonably priced. Tell your friends. Owner 345-3743.

PIANO FOR SALE: - \$125. Fine tone, good condition. 474-5432.

MOTHER AVAILABLE FOR BABYSITTING - Permanent and on the spot notice. Mon. thru Fri. 8:00 to 5:00. Call after 5:00 - 345-5752.

MAINTENANCE MAN for small garden apartments in Greenbelt. Live in or out. Must be familiar with all phases of maintenance work. Send letter of application to Box 158, Greenbelt, Md.

PLANNING TO RENT your house next year: Sept to June or Feb. to June? Visiting professor's family is looking for housing in Greenbelt. 345-9421.

WANTED: Babysitter for group of small children during church services Sunday morning. Call 345-7671 for details.

Plumbing

BOB PETRIK

Remodeling — Repairs

Electric Drain Cleaning

— Free Estimates —

- HOT WATER HEATERS
- BASEMENT BATHS
- APPLIANCES
- FIXTURES

Registered WSSC No. 234

459-0935

Woman's Club Sidewalk Sale

Variety - Bake - Plant

Sat., May 23 - 9:30 to 3

Center

Mrs. E. R. Riggs, Chm.

474-9439

Mrs. Chiavetta

Pick-up - 474-5340

Greenbelt Beauty Salon

Fashion Tress Wigs and Wiglets



Ph 474-4881

Greenbelt Shopping Center

133 CENTERWAY

KASH Realtor 345-2151

COPE with this problem and that problem? No money for a show because you have a large rented townhouse? Consider assuming a 4% loan and take over pmts of \$92.00/mo. after down pmt. and get all your utilities except elect. included in pmt. when you buy this fine 3 BR home with large addition that has rec. room included. \$12,950.

KASH REALTOR sells homes all over Maryland. Your Greenbelt home could very well give you enough money so you could assume a low interest loan. We have a number of homes with attractive assumptions. Call 345-2151 right now. We are successfully placing Greenbelt home owners in the home of their choice through our four offices and large sales force.

CROWDED? Get out of that "18 hour handbox" and into this 5 BR 2 1/2 bath Cent. A/C home on a beautiful corner lot. Pick up pmts of \$170/mo after down pmt and assume 5 1/2% loan. This home has a fine carpeted rec. room, many, many other extras. Call now on 345-2151 for this beauty at \$34,000.

"CLORO" your X (X for your mate) if he or she does not believe this is the best rent beater that can be found. Look over this 2 BR End home on a beautiful fenced lot in the neatest court in town. Take over pmts. of \$83.00 after down pmt. Priced to steal at \$10,000.

THE SCOPE of things makes us tell you here is another good buy in this 3 BR 1 1/2 bath all brick home with so many extras you will have to catch your breath to take them all in. Less than \$5,000 moves you in this fine home and you get an added room besides. \$22,900.

CREST says **SMILE** and you surely will when you find out you can get this 3 BR all brick home with rec. room for only \$3500 down, and take over pmts of \$130/mo. Come see and buy at \$19,500.

KASH WORKS WONDERS but you'll never have to "Bayer" with us if we wax enthusiastic over our fine homes. Look at this buy! Only \$80.50/mo. after down pmt. and you get this nice 2 BR home with parquet floors for only \$8500.

KASH Realtor HOMES FOR SALE

Call 345-2151 Anytime
Four fine offices to serve you.
MULTIPLE LISTING SERVICE

G.M. MARK OF EXCELLENCE - Grand mansion, that is. Here is the finest 4 BR 2 1/2 bath brick home IN GREENBELT you can imagine. Huge living room with fireplace, large dining room, fine rec. room with another fireplace, KING AND QUEEN size bedrooms, Anderson thermopane windows, plus more! If you have been waiting for a custom built home in Greenbelt, now is your opportunity to get a real prize on a wooded lot offered on all terms. (You can even take over pmts. of \$176.74/mo. after down pmt. \$37,500.

WONDER, HOW BIG do you want to be? Here is another opportunity to buy a 3 BR 2 1/2 bath C/A home IN GREENBELT. Absolutely a fabulous home with W/W carpeting, draperies, (they are beautiful), pleasant rec. rm. located on one of the best places for a view of the countryside. Look at this line of appliances, range, ref., disposal, dishwasher, exhaust fan, and washer. Offered on FHA/VA terms at \$32,000.

CAN YOU A "FORD" a better idea or house for the money? Take a look at this huge home with 7 BR's, Roman size bathrooms, (two of them, as well as a half bath). Formal entrance hall and dining room. There is a house you can really get lost in no matter how large your family is. Also, you have a treed lot situated in complete privacy VA appraised at \$34,250.

NO WATER NEEDED (bill that is) for this V W (vunderful wocation), the best in town. This 3 BR home with an absolutely beautiful remodeled kit., fruitwood paneling, W/W carpeting, 23,000 BTU A/C, new appliances, lge. patio and going for the steal away price of \$13,350.

KASH REALTOR IS ABOVE THE POST OFFICE IN THE GREENBELT SHOPPING CENTER. WE ARE OPEN FROM NINE A.M. TO NINE P.M. SEVEN DAYS A WEEK. VISIT US DURING THESE HOURS OR CALL 345-2151 ANYTIME DAY OR NIGHT FOR PROFESSIONAL SERVICE.

MARLBORO COUNTRY - No smoke will get in your eyes in this location. Here is a best buy on a half-acre lot in the midst of expensive homes. You can assume 5 1/2% loan at \$148/mo. and get this 4 BR 2 bath for only \$24,950. Don't wait. Call 345-2151 now.

AXIONS speak louder than words. If you are paying out money for a drawer full of rent receipts at the end of the year. Make your move now and take advantage of assuming this 4% loan and take over pmts of \$79/mo after down pmt. This includes all utilities except elect. This home is remodeled and in the best of condition. Move in right now! \$9400.

KINNEY you do this? Put the shoe on the other foot and get a beautiful (and we do mean a real handbox) 2 BR home near NASA with new roof, perfect kit., attic storage and located on a large weed free lawn. For only \$113.45 after down pmt. Just right for your retiring parents or beginning couple. In a prime area for only \$19,500.

RATHER SWITCH THAN FIGHT? We have the perfect solution, you won't even need a filter because this 3 BR home with 2 baths is cent. A/C and has W/W carpeting all over home, attached garage and is located on a fine lot backed up to woods. You can move into this home with only \$5300 down. Call 345-2151 today for this one at \$31,500.

KASH Realtor
(Above Post Office)
345-2151

Veterans Cut-Rate Liquors

11620 Baltimore Blvd. (Route 1)

Free Delivery - 937-1110

Beltsville, Md.

937-3022

HALF GALLON SPECIALS

Old Crow

\$8.49 half gal.

equiv. to 3.40 fifth

Teacher's Scotch

\$12.99 half gal.

equiv. to 5.20 fifth

Calvert Extra

\$9.89 half gal.

equiv. to 3.96 fifth

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